



Richard J. Haskell, M.D., F.A.C.C.  
Desmond D. Levin, M.D., F.A.C.C.  
Bonnie J. Gainer, M.D., F.A.C.C.  
Neala J. Hunter, M.D., F.A.C.C.  
Jeffrey Bruss, M.D., F.A.C.C.  
Carey L. O'Bryan IV, M.D., F.A.C.C.  
Michael Panutich, M.D., F.A.C.C.  
Jennifer Jessen, N.P.- C  
Jean Carlos, N.P.

415 Old Newport Boulevard • Suite 200 • Newport Beach • California 92663  
Phone: (949) 548-9611 • Fax: (949) 548-9958  
www.newportheart.com

Item 3a: Additional Materials Received  
Planning Commission - September 6, 2012  
PA2011-056

September 4, 2012

Community Development Department  
Planning Division  
3300 Newport Boulevard, Building C  
Newport Beach, Ca 92663

RE: September 6, 2012 Meeting -Agenda Item #3,  
441 Old Newport Medical Office Building

Planning Commissioners,

The developers of **441 Old Newport Road** are asking you to allow them to use this building for medical office space although they do not meet the parking requirements for such use. We would ask you to deny this request.

We constructed, own and operate the medical office building at **451 Old Newport Road** and actually decreased the size of that building to fully comply with the city's parking requirements for medical office use. We also own the constructed, own and operate the building at **455 Old Newport Road**. Although we would like to operate that site as purely medical office space, due to the city parking requirements, we are forced to operate with a mix of medical and general office use. In March, 2012 we asked to change the configuration of that limited use, but were still required to maintain the mix of medical and non-medical based on the parking requirements. (Please see the attached letter dated March 28, 2012 signed by Mr. Gregg Ramirez, Senior Planner, City of Newport Beach.)

We ask that you apply the same restrictions to the development at 441 Old Newport that you have applied to our projects. Given the available parking at this site, it should also be required to serve as a mixed use site providing general office space along with the medical office space.

We are also concerned that to achieve even a mixed use at this 441 site, the developer is relying on a valet service and off-site parking to comply with the parking requirements. Even with this complicated and expensive plan they still do not have the adequate number of parking spaces for medical use only.

And we wonder how the city will monitor this valet parking scheme. If the owner decides it is too impractical and expensive to operate and discontinues using it, how will the occupy mix of the building be changed or controlled? This off-site parking is at 445 Old Newport which is a dilapidated, debris strewn area. Vandals have recently broken the windows and we wonder why the city has not condemned this property or at least ordered it fenced to protect the public; not consider it as a viable parking lot.

Melinda Whelan, the city planner on this case recently told me she thinks the parking ratio for medical buildings is too high based on her observations of local properties and suggests this 441 property could approved with a lower ratio. We believe her research is flawed. She observed our 415 building during non-business hours; when our doctors are not seeing patients, the parking lot is understandably not crowded. During business hours all parking spaces are full. The study of our 455 building was non-representative as that building is only 33% occupied. Of course you would have available parking when over half of the building is vacant. The other building she studied at Orange and Old Newport is not fully leased at the time either; once again a reasonable expectation of available parking spaces. When these properties are fully leased, the current parking requirements prove to be necessary. The ratio should not be adjusted for the 441 site.

Granting this application would be unfair to the other businesses in the area that have complied with the city's requirements. And, the only place for the overflow customers at the 441 site to park will be to trespass on the other parking compliant sites in the area.

Thank you,

Richard J. Haskell MD, Sandra Haskell, Desmond Levin MD, Diane Levin

415 & 455 Old Newport Road, Newport Beach, CA 92663 949-548-9611



## COMMUNITY DEVELOPMENT DEPARTMENT

### PLANNING DIVISION

3300 Newport Boulevard, Building C, Newport Beach, CA 92663

(949) 644-3200 Fax: (949) 644-3229

[www.newportbeachca.gov](http://www.newportbeachca.gov)

March 28, 2012

Item 3a: Additional Materials Received

Planning Commission - September 6, 2012

PA2011-056

Sandie Haskell  
255 Evening Canyon Road  
Corona Del Mar, CA 92625

RE: 455 Old Newport Boulevard – Medical Office Space Allocation

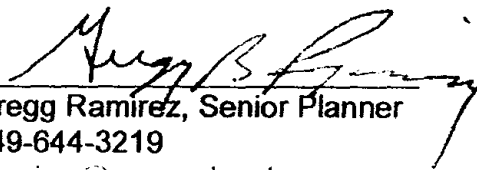
Dear Ms. Haskell,

Based on our records, the existing 14,087 square foot (gross) building is allowed to be occupied by a mix of medical and general office uses as follows:

- 10,265 sq. ft. (gross) medical or other uses requiring equal or less parking than 1/200 (gross).
- 3,822 sq. ft. (gross) general office or other uses requiring equal or less parking than 1/250 (net).

This allocation is based on the existing number of parking spaces (57) and the uses that have historically occupied the building. Unoccupied medical office space will not be counted towards the maximum as long as it remains unoccupied. Prior to the issuance of tenant improvements to convert the credit union space to medical office, a signed letter stating the status of the improved medical office space will be required. This status must specify that it is vacant and the area (gross square footage) of the vacant area. Additionally, a business license will not be issued for new tenants over the floor area for medical office as indicated above. The Planning Division will use your letter and future tenant improvement plans to track floor area of existing and future uses.

Sincerely,

  
Gregg Ramirez, Senior Planner  
949-644-3219  
[gramirez@newportbeachca.gov](mailto:gramirez@newportbeachca.gov)